



Alcoholic Beverages and Illegal Drug Possession #185.001

INITIAL EFFECTIVE DATE: January 1, 2017	LAST REVISION DATE: November 17, 2020	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT: University Police
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POLICY STATEMENT

The consumption of alcoholic beverages by members of the university community is subject to the alcoholic beverage laws of the State of Florida and FIU policy and regulations.

SCOPE

The scope of this policy includes students, faculty, staff and all visitors. Specifically, it is unlawful for any person to sell, give, serve or permit to serve alcoholic beverages to a person less than 21 years of age or to consume alcoholic beverages on licensed premises unless specifically engaged in an approved and supervised academic program, which does not involve the actual ingestion of alcohol by an individual under the legal drinking age. It is also unlawful for a person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any licensee or his agents or employees to sell, give, serve or deliver any alcoholic beverage to a person less than 21 years of age. A violation of the proceeding may be cause for disciplinary action and criminal prosecution.

The unlawful manufacture, distribution, dispensation, possession, use, trade, or sale of a Controlled Substance or alcohol by any Florida International University student or employee on Campus or at any University sponsored or related activity threatens the well-being and health of the University community.

REASON FOR POLICY

Establishes FIU's perspective on alcoholic beverage and illegal drug consumption, manufacture, distribution and possession.

Policy is in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (20 USC § 1092(f))

DEFINITIONS	
TERM	DEFINITIONS
None	None



ROLES AND RESPONSIBILITIES

Florida International University (FIU) is governed by the Board of Trustees who derives their power and authority under Florida State Statutes. Florida Statutes §1001.64 grants the Board of Trustees the power to appoint the president of FIU. Florida Statutes §1001.65 grants the President of FIU the authority to appoint personnel as necessary for the safe and efficient operation of the university.

As officials of FIU and Police Officers of the State of Florida, pursuant to Florida Statutes §1012.97, and as defined in Florida Statutes §943.10, FIUPD officers are empowered to enforce the all laws of the State of Florida, and violations of county or city ordinances.

Persons who know or suspect there is a violation of the Drugs or Alcohol University policies or Florida Statutes, should contact the University Police Department at the non-emergency telephone number (305) 348-2626 or (305) 348-5911 in for an emergency.

RELATED RESOURCES

FIU Policy 1705.002 Drug-Free Campus/Workplace, Drug and Alcohol Abuse Prevention Policy online at policies.fiu.edu/files/754.pdf and FIU Regulation 2505 Alcoholic Beverages online at regulations.fiu.edu/regulation.

The Handbook for Campus Safety and Security Reporting; 2016 Edition
<https://www2.ed.gov/admins/lead/safety/handbook.pdf>

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0500-0599/0562/Sections/0562.11.html

CONTACTS

University Police Department
Florida International University
885 SW 109th Avenue
PG-5 Market Station 2nd floor
Miami, Florida 33199
Telephone: (305) 348-4779

HISTORY

Initial Effective Date: January 1, 2017

Review Dates (*review performed, no updates*): December 11, 2023

Revision Dates (*updates made to document*): November 17, 2020



Alcoholic Beverages and Illegal Drug Possession # 185.001a

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January 1, 2017	November 12, 2020	University Police

PROCEDURE STATEMENT

Although Florida International University respects an individual’s rights, such rights cannot outweigh the need to maintain a safe, productive, and drug-free work and educational environment. Therefore:

1. No person may unlawfully manufacture, distribute, dispense, possess, trade, sell, or offer for sale a Controlled Substance or otherwise engage in the use of Controlled Substances on Campus;
2. No person may report to classes, work, or related assignments “under the influence” of Controlled Substances or alcohol; and
3. No person may use prescription drugs illegally. The legal use of prescription drugs with known potential to impair personal safety should be reported to supervisors or an appropriate University representative.

Any violation of this policy by a University student or employee shall constitute grounds for:

1. Evaluation and/or referral to treatment for drug/alcohol abuse;
2. Disciplinary action; and/or
 - a) For students, disciplinary action may include mandatory referral to the University Counseling and Psychological Services for alcohol/drug dependence, written reprimand, or other disciplinary sanctions, up to and including expulsion from the University. Such actions shall be in accordance with the applicable “Student Codes of Conduct” and University policies and procedures.
 - b) For employees, disciplinary action may include mandatory referral to the Office of Employee Assistance (OEA) for assessment, letters of reprimand, and progressive disciplinary procedures, up to and including termination of employment.
3. Criminal sanction.
Florida law prohibits the sale, manufacture, or delivery, or possession with intent to sell, manufacture or deliver, of a Controlled Substance “in, on, or within 1,000 feet of the real property comprising a public or private college, university, or other postsecondary institution.” Fla. Stat. § 893.13(1)(d). Violators face up to 30 years in prison.

Any person in violation of the Florida Statutes may be subject to arrest and criminal prosecution.